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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

Rudy Rivera,

Plaintiff,

v.

United States of America,

Defendant.

Case No. 2:19-cv-00306-RFB-VCF

**Stipulation and Order to Extend
Deadline for Proposed Joint Pretrial
Order
(First Request)**

Pursuant to LR IA 6-1 and LR 26-4, the parties request a 45-day extension, from October 30, 2021 to December 14, 2021, to file the proposed joint pretrial order. In support of this stipulated request, the parties inform the Court of the following:

DISCOVERY COMPLETED

Discovery is complete.

DISCOVERY REMAINING

No discovery remains to be completed.

WHY REMAINING DISCOVERY HAS NOT BEEN COMPLETED

This request for an extension concerns only the proposed joint pretrial order. This case has been dormant for several months awaiting a ruling on dispositive motions. The Court ruled on the dispositive motions in an Order, ECF No. 44, entered on September 30, 2021. Some causes of action remain to be tried.

1 It will take some time for the attorneys to get back into the case and assess
2 documents, witnesses, and other items and issues to prepare the joint pretrial order.
3 Plaintiff has additional counsel, E. Brent Bryson, who is new to the case and just recently
4 entered an appearance; Mr. Bryson was not involved in the case during discovery. *See* ECF
5 No. 46. Undersigned defense counsel was out of the office for a significant number of days
6 during August, September, and October 2021 due to a family emergency. These
7 circumstances also led to the inability to seek this extension at least 21 days before the
8 existing due date of October 30, 2021 for the joint pretrial order.

9 The Court recently held a status conference and set trial for January 11, 2022. *See*
10 ECF No. 47. The Court also set deadlines in January 2022 for the filing of witness and
11 exhibits lists, which is information that will also be included in a joint pretrial order.
12 Therefore, no additional delays are anticipated as a result of filing the joint pretrial order by
13 the requested extension date of December 14, 2021.

14 **EXTENSION OF THE DISCOVERY PLAN AND SCHEDULING ORDER**

15 Accordingly, counsel request that the Court approve a 45-day extension, from
16 October 30, 2021 to December 14, 2021, to file the proposed joint pretrial order.

17 This is the first request, since the Court's Order ruling on dispositive motions, ECF
18 No. 44, for an extension of the joint pretrial order, although there were earlier approved
19 requests for extensions of other discovery deadlines.
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1 This request for an extension of time is not sought for an improper purpose
2 including undue delay.

3 Respectfully submitted this 29th day of October 2021.

4 E. BRENT BRYSON, LTD.

CHRISTOPHER CHIOU
Acting United States Attorney

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6 /s/ E. Brent Bryson
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9 And

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15 *Attorneys for Plaintiff*
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19 IT IS SO ORDERED:

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Cam Ferenbach

21 UNITED STATES MAGISTRATE JUDGE
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23 DATED: 10-29-2021
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